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APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO	CONFIRMATION NO
10 078,629	02 19 2002	Lee Macklin	10011988-1	5134

7590 07 16 2003

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

NOWLIN, APRIL A

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 07 16 2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/078,629

Applicant(s)

MACKLIN ET AL.

Examiner

April A. Nowlin

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other.

DETAILED ACTION

1. Receipt is acknowledged of the Amendment filed 24 March 2003.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1, 2, and 4-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Zacharias (US 6,494,367).

Re claims 1, 2, 5, 6, 11-13, and 15: Zacharias teaches a secure multi-application card system comprising:

a terminal device configured to interface with a multi-application card 205, which serves as a multi-use card as recited in claim 1, wherein the multi-application card 205 was initially issued by an independent financial institution to represent a single independent credit account with the financial institution prior to use as a multi-application card, to present card information to a user, and to receive an input designating a selected account from the user, wherein the

terminal device includes a card reader 210 configured to read the card 205 and a display screen configured to display information associated with the card 205;

a database 230 storing account information for accounts at multiple financial institutions pertaining to the card 205, wherein the database is stored remotely and wherein the system further comprises a remotely located platform hosting the database and a communication system connecting the remotely located platform with the terminal device; and

a processor 220 configured to access the database, to send information to the terminal device and to receive information from the terminal device and the database 230, and to generate charges on the selected account, wherein the processor 220 is configured to communicate via an Internet (see col. 4, line 17 to col. 5, line 20; col. 5, lines 34-67; col. 7, line 51 to col. 8, line 54).

Re claims 4 and 14: Zacharias teaches wherein the card 205 is a credit card.

Re claims 7 and 16: Zacharias teaches wherein the system is configured to permit a modification of the account information remotely (see col. 6, lines 59-62; col. 7, lines 11-14).

Re claims 8 and 17: Zacharias teaches wherein the generation of charges is accomplished by providing selected account information to a retailer (see col. 5, line 48 to col. 6, line 7).

Re claims 9 and 18: Zacharias teaches wherein the accounts are related to credit card issuers (see col. 4, lines 10-11).

Re claims 10 and 19: Zacharias teaches wherein the accounts are related to banking institutions (see col. 4, lines 10-11).

Re claim 20: Zacharias further teaches a method for providing access to multiple credit accounts via a single credit card 205 comprising identifying at least two independent credit accounts that are to be accessible via a single credit card 205; storing information for each the at least two independent credit accounts in a database 230; designating a credit card for one of the at least two independent credit accounts as a multi-use credit card 205; and associating the stored information for each of the at least two independent accounts with the designated multi-use credit card 205, wherein a user may use the multi-use credit card 205 to complete financial transactions involving any of a selected one of the at least two independent credit accounts (see col. 4, line 17 to col. 5, line 20).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zacharias (US 6,949,367) in view of Cohen et al (US 6,464,135). The teachings of Zacharias have been discussed above.

Zacharias fails to teach or fairly suggest a terminal device having a touch screen display.

Cohen et al discloses an automated teller machine having a touch screen display (see figures 1-4; col. 3, lines 4-7). In view of Cohen et al's teaching, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the notoriously old and well known touch screen display to the teachings of Zacharias to provide a more moderate interactive terminal and to prolong the life expectancy of the system with less moving mechanical parts.

Response to Arguments

6. Applicant's arguments filed 24 March 2003 have been fully considered but they are not persuasive.

In response to applicant's argument that Zacharias does not teach a multi-use card that represents a single independent credit account, the prior art to Zacharias teaches a multi-use card for providing access to multiple card accounts or a single card

account (see above rejection). Therefore, the examiner believes that the Zacharias reference meets the claimed invention.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to April A. Nowlin whose telephone number is (703) 605-1219. The examiner can normally be reached on Monday - Friday from 6:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7382 for After Final communications.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [april.nowlin@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.


AAN
July 14, 2003



THIEN M. LE
PRIMARY EXAMINER